

**MINUTES
LICENSE COMMISSION MEETING
JULY 17, 2024**

A REGULAR MEETING OF THE Revere License Commission was called to order by Chairman Robert Selevitch at 3:00 p.m. on July 17, 2024. Commissioner Daniel Occena, Commissioner Liliana Monroy, Police Lt. Sean Randall, Liaison with the Revere License Commission, and Maggie Haney, Recording Secretary, present.

Salute to the Flag by the members of the Revere License Commission and those in attendance.

Vote to accept Minutes: Vote to accept the Minutes of 6/26/24.

Upon a motion duly made by Commissioner Occena, and seconded by Commissioner Monroy, it was VOTED to approve the minutes.

VOTED ON THE FOLLOWING APPLICATIONS SUBMITTED FOR CONSIDERATION

Dot's Army

Griswold Park

Renee Griffin, Event Manager

Application for 1-day Malt/Wine, Common Victualler, & Entertainment License: Application of Dot's Army, Renee Griffin, Event Manager, for a 1-day license for Malt/Wine, Common Victualler, and Entertainment, to be exercised at Griswold Park on Saturday, September 7, 2024, from 11 a.m. – 4 p.m., with a rain date of Sunday, September 9, 2024. Event is a Cornhole Tournament to benefit the Jimmy Fund. Expected attendance is 50 – 100.

Renee Griffin appeared for the application. This will be their fourth year holding the fundraiser in Revere.

There were neither proponents nor opponents when called. Upon a motion duly made by Commissioner Monroy, and seconded by Commissioner Occena, it was VOTED to approve the application.

Joseph Leon Mottolo Post #4524 V.F.W. U.S., Inc.

61 Lucia Avenue parking lot

Matthew Cunningham, Event Manager

Application for a 1-day All Alcohol, Common Victualler, and Entertainment License: Application of Joseph Leon Mottolo Post #4524 V.F.W. U.S., Inc., Matthew Cunningham, Event Manager, for a 1-day license for All Alcohol, Common Victualler, and Entertainment to be exercised in the parking lot at 61 Lucia Avenue on Saturday, August 3, 2024, from 1 p.m. – 10 p.m. Event is a Summer Block Party to raise funds for the Tunnel to Towers Foundation. Expected attendance is 300.

The applicant was neither present nor represented. The matter will be continued.

New England Friends of Bosnia & Herzegovina

Susan B. Anthony Middle School

Azem Dervisevic, Event Manager

Application for a Special 1-day License for Malt/Wine, Common Victualler, & Entertainment: Application of New England Friends of Bosnia & Herzegovina, Azem Dervisevic, Event Manager, for a 1-day license for Malt/Wine, Common Victualler, and Entertainment, said license to be exercised on the grounds of the Susan B. Anthony Middle School on Sunday, September 29, 2024, from 1 p.m. – 7 p.m., with a rain date of Sunday, October 6, 2024. Event will be a festival promoting the culture of Bosnia & Herzegovina, with music, food, and games. Expected attendance is 500+.

Azem Dervisevic appeared for the application. This is their ninth festival, and their second in Revere. The bar area will be fenced off and IDs will be checked for anyone seeking to drink alcohol. The beer will be served by a licensed bartender.

There were neither proponents nor opponents when called. Upon a motion duly made by Commissioner Occena, and seconded by Commissioner Monroy, it was VOTED to approve the application.

Papa Jack's Revere, LLC
d/b/a **Papa Jack's**
327 Broadway
Hardik Patel, LLC Manager

Application for Transfer of a Common Victualler License: Application of Papa Jack's Revere, LLC d/b/a Papa Jack's, for transfer of a Common Victualler license from Bajza, Inc., said license to be exercised at 327 Broadway. Requested seating is 12, requested hours of operation are Sunday – Saturday 7 a.m. – 2 a.m. Current hours of operation are Sunday 12 p.m. – 10 p.m., Monday – Wednesday 11 a.m. – 10 p.m., Thursday – Saturday 11 a.m. – 11 p.m.

Erwin Garcia appeared for the application. Mr. Garcia is the manager of the restaurant. Business operations are expected to remain the same, although he plans to try some new recipes. The request for later opening hours is to accommodate takeout business.

There were neither proponents nor opponents when called. Upon a motion duly made by Commissioner Occena, and seconded by Commissioner Monroy, it was VOTED to approve the application.

Two Brothers Hospitality, LLC
d/b/a **Murray's Tavern**
118 Broadway
John Murray, Manager

Application for Outdoor Seating: Application of Two Brothers Hospitality, LLC d/b/a Murray's Tavern, John Murray, manager, for outdoor seating for an All Alcohol Restaurant license on the sidewalk outside the restaurant. Requested outdoor seating is 56, requested hours for outdoor seating are Sunday 11 a.m. – 10 p.m., Monday – Saturday 11 a.m. – 1 a.m., requested hours of entertainment would be the same and consist of live vocal/instrumental music not to exceed three pieces.

John Murray appeared for the application. He described their plans for the outdoor seating area, which would be bordered by shrubbery, and with constant outside management of the space. Music would be acoustic background music and would be kept low after 10 p.m. He referred to their reputation as running a well-managed business which has always been a good neighbor, and wishes to remain so.

Chairman Selevitch agreed that the business has always been well-run. He also asked about the effect of late-night music on the residential neighborhood; Commissioner Occena shared those concerns. Mr. Murray assured the Commission they would keep noise to a minimum. It was discussed that closing all entertainment at midnight might help.

There were no opponents when called. Councillor Ira Novoselsky spoke in favor of the application. Upon a motion duly made by Chairman Selevitch, and seconded by Commissioner Occena, it was VOTED to approve the application, with the proviso that entertainment ends at 12 a.m.

Uno Restaurants, LLC
d/b/a **Uno Chicago Grill**
210 Squire Road
Amalia Korom, Manager

Application for a Change of Officers/Directors: Application of Uno Restaurants, LLC d/b/a Uno Chicago Grill, Amalia Korom, Manager, for a change of officers/directors.

Jonathan Coppola appeared for the application. This is a corporate-level change, and will not affect operations of the business in any way.

There were neither proponents nor opponents when called. Upon a motion duly made by Commissioner Monroy, and seconded by Commissioner Occena, it was VOTED to approve the application.

HEARINGS

Lupita Revere, LLC
d/b/a **Lupita Restaurant**
111 Shirley Avenue
Erasmio A. Guevara, Manager

Hearing: Hearing into continual disruptions of the public safety and order, brawls, service to intoxicated patrons, violation of license closing rules, violation of on-premises license law, violation of entertainment license conditions.

Erasmio Guevara appeared for the hearing, represented by his attorney, Joe Franzese. Chairman Selevitch reminded the license holder that the License Commission had sent a letter of warning in March, and generally described the issues plaguing the neighborhood as reported by neighbors and police. Revere Police Sergeant Sean Matthews spoke on his experience as late-night patrol supervisor in the Shirley Avenue neighborhood. In his time working in the neighborhood since about 2011, he's never known a bar to cause as much problems as Lupita's. He pointed out that the license manager is never there at night; instead, he finds a different person every night claiming to be the manager. He feels that the essential problem is that the restaurant is acting as a nightclub in a residential neighborhood, and without soundproofing, the noise is horrible. As a result, he is continually dealing with intoxicated patrons, angry staff, and furious residents. Commissioner Occena asked about the level of cooperation the business engaged in with police. Sgt. Matthews spoke highly of the security staff, but not the management of the bar. He has seen patrons leaving the bar with drinks in hand on multiple occasions. The Commission asked Sgt. Matthews what measures he would consider helpful, and he suggested quiet zones, and an earlier ending time for the music.

Laith Al Behacy, a resident who lives across from the bar, spoke of his problems with the bar. He has lived there for 11 years, and found the neighborhood quiet prior to the opening of this business. He spoke of the noise from the entertainment, and the disturbances from patrons exiting the building and playing loud music, urinating in their gardens, and generally disrupting the peace of the neighborhood. The residents are afraid to remonstrate with the drunken mobs. He described a fight with women throwing bottles of beer at each other in the street. They have reported these problems to police, who respond, but have trouble controlling the chaos. The residents do not feel safe.

Samira Bouzaghrou, another neighboring resident, spoke. She is a mother and worries about her children. She has called the police and City Hall many times. She has health issues and minor children; her children are suffering from lack of sleep and have had to see things they should not see at their age. Her husband has cancer and is receiving chemotherapy, and the lack of rest is disrupting his health.

The Commission next heard from Allaa Bouzaghrou, another resident. She began by saying that, having grown up on Shirley Avenue, she is well accustomed to bars in the neighborhood, but considers Lupita's to be by far the worst. She works as a nursing assistant at a hospital and gets home very late at night, and there are days when her parents call her to stay with a relative because the streets are too unsafe, and other nights where she herself feels unsafe walking home. She expressed concern that police resources were tied up dealing with this bar when other parts of the city might be left without police help. She regularly gets only a couple of hours of sleep, leaving her too tired at her work, which needs her to be fully fit and present.

Nezar Zaatri, another resident, spoke. He works in a restaurant in Boston, and usually gets home around 1 a.m. He cannot find parking, as the patrons of Lupita's block the resident parking of his building. He has witnessed people urinating in yards and on other people's cars, arguments and fighting in the streets. He mentioned the residents of the nearby veterans housing and pointed out that nightclubs in Boston shut down at 1:30 a.m. and move people outside without causing the level of disturbance he sees in his neighborhood. He has parents and a grandmother who are losing sleep on a regular basis.

Abderrahim Zaatri spoke as well. He feels that police resources could be better utilized protecting the city at large rather than dealing with the continual problems from Lupita's, and that the neighboring veterans deserve more respect for their service. He has reviewed city noise ordinance and states that Lupita's regularly exceeds the maximum decibel level.

Ward 2 Councillor Ira Novoselsky addressed the Commission. He has received numerous calls but says the only complaints he has received are about the music. He represented that many of his complainants want it stated that they are only concerned with the music. He also stated that the other complaints, of disruptions to the neighborhood, had not previously been heard by him, and that those are not Lupita's problems, but suggested that it might be an issue related to patrons waiting for Ubers. He emphasized that the main thing was the music. He personally has not been disturbed by music, and considers that only residents within 100 feet are complaining of the noise.

Samira Bouzaghrou spoke again. She wanted to know if the city allowed nightclubs in their residential neighborhood. Allaa Bouzaghrou spoke to respond to Councillor Novoselsky's assertion that the only complaints were noise-related and not other disturbances. She attributed that to the police not filing written reports. The Commission assured her that they had written record of complaints going back to April. Councillor Novoselsky returned to say that the owner of the restaurant is in the process of soundproofing the front of the building, and that the owner has parking in the rear of the building. Chairman Selevitch reminded the Councillor that the business was originally presented to the Commission as a restaurant and not a nightclub.

Attorney Franzese responded to the neighborhood complaints by pointing out that there are other bars in the area which might also be the source of the complaints. He spoke with his client about full compliance with all laws

and regulations, as well as insulating the business to soundproof it, and to forbid intoxicated patrons from entering the bar. He suggested that, as we live in a multicultural establishment, it is incumbent upon us all to be good neighbors. He presented an estimate for soundproofing to the Board.

Chairman Selevitch discussed the business's transformation from a restaurant into a nightclub, to the detriment of the neighborhood. Attorney Franzese reiterated that his client would improve, using communication and compliance. Commissioner Occena asked if the client had made any effort to reach out to his neighbors in the several months in which complaints had been made. Attorney Franzese averred that one cannot change the past, but the future would be better. Commissioner Occena expressed concern that Mr. Guevara did not seem to be taking the complaints at all seriously, leaving Commissioner Occena with little faith that the situation would improve if left to itself. Commissioner Monroy, while noting that the business was successful, agreed that something needed to change in order to remedy the issues.

Commissioner Occena made a motion to roll the closing hours back to 12 a.m., with entertainment closing at 11:30 p.m. Commissioner Monroy seconded the motion, and it was unanimously VOTED to approve the motion.

Attorney Franzese requested that this motion only apply for 90 days during which the business could show the Commission that they are taking steps to remedy the situation. The Commission denied the request, with Commissioner Occena reminding the license holder that the option to later apply for a change of hours was always open to them, at which time the business could then prove that it had improved its practices. He also asked the attorney to remind his client that any city officials, from police to inspectors to License Commissioners should get some level of cooperation from the business management. On-site managers should be clearly identified for city officials so that they would know who is responsible for operations.

Mr. Guevara protested that the penalty was unfair, referencing his personal challenges, and stating that he plans to split the cost for a detail officer with a neighboring bar. He is willing to collaborate with everyone, but requested that he be allowed 30 – 90 days to remedy the problems. Chairman Selevitch denied the request, pointing out that opportunities to address the problem had already been squandered, from police asking that the music be turned down to the Commission sending letters warning them to address the problem. As the license holder did not at any point address the problem, the matter has now been dealt with by the Commission. Commissioner Occena directed the attorney to deliver any remediation plans to the License Commission office.

AM Salgado, LLC
d/b/a **La Hacienda 2**
306 Revere Street
Aldo A. Callejas, Manager

Hearing: Hearing into continual disruptions of the public safety and order, violation of entertainment license law.

Aldo Callejas appeared for the hearing, accompanied by Walter Pineda, the on-site manager. They acknowledged that they had been informed in the last couple of months about the parking and noise complaints, as well as of patrons staying around outside in the parking lot. They have made changes, which they hope will improve things in the next couple of months. They showed the Commission some soundproofing measures they have taken within the restaurant windows. They discussed the entertainment and closing procedures. They have a mariachi band every other Thursday until 10 p.m. They have a DJ come in at 11 p.m. and end at 1:15 a.m., after which they raise the lights, and begin closing procedures. They began with one security person and have added another security person to be in the parking lot and move patrons along so that they don't loiter in the area and disturb the neighborhood. Their security person, Alex Duvée, discussed the process they use to move patrons out as expeditiously and peaceably as possible.

Chairman Selevitch pointed out that the restaurant does not have a license to have a DJ as part of their entertainment. Mr. Callejas had not been aware of that, and described it as an error on his part. Nicole Toto, neighboring resident, read a letter that she had sent to the License Commission. She described the illegal parking, which makes it impossible for residents to park on their own property or on the street, despite the parking lot owned by the restaurant across the street. She acknowledged that the fights and other bad behavior have improved with the business's increase in security personnel. She alleged that the business is serving intoxicated people, and stated that the restaurant has become a late-night nightclub. She stated that when the business takes suggested measures, such as moving the DJ away from the windows, it soon regresses back to the earlier approaches.

Dennis Toto, who owns the property across the street from the restaurant, spoke. He feels he has a good relationship with the management of the restaurant, and would prefer to have a successful restaurant there than an unoccupied building which would draw drugs and trouble. However, he has come to realize that the restaurant has become a nightclub. He had just lost a tenant who left because she could no longer stand the noise and disruption, and has another tenant who has resorted to melatonin and earplugs to be able to sleep at night. He mentioned that some of the neighbors are elderly and ill. While he wishes to continue his good relationship with the restaurant management, but strongly feels that a nightclub has no place in a strongly residential neighborhood.

Michael Wells, Director of Inspectional Services spoke. As a former restaurateur for 25 years, he described all of this as preventable. In his work with local businesses, he emphasizes the importance of maintaining good relations with the neighbors, specifically to avoid getting to this point.

Ward 5 Councillor Angela Guarino-Sawaya addressed the Commission next. She described several months of attempting to work with the owners to remedy various aspects of the situations and has generally found them cooperative. However, she considers that the DJ and late-night alcohol service remains a major problem for the neighborhood. She suggested that the Commission scale back the operating hours for 60 days to see if the business can find a way to correct their issues and calm their clientele. Dennis Toto returned to voice his agreement with the Councillor's suggestion. Both parties described the management of the business as good people.

Chairman Selevitch directed the business to cease the unlicensed use of DJ as an entertainment. He asked for their thoughts on a solution to the problem. Mr. Callejas apologized to the neighbors; he expressed a willingness to have their hours rolled back to 1 a.m. – their kitchen closes at 12:30 a.m. – and return in 60 days to prove that he has successfully remedied these problems. Commissioner Occena bruited the idea of closing the business at 12 a.m. from Sunday – Thursday, and allow a 2 a.m. closing on Fridays and Saturdays, without DJ and dancing. He informed the license holder that entertainment applications must be very specific in their requests. Mr. Callejas asked if, given that his kitchen is open until 12:30 a.m. and that they get a lot of business at that hour, he would prefer it if the hours were rolled back until 1 a.m. for the entire week. Chairman Selevitch proposed that the closing hour be rolled back to 1 a.m. entirely, with no DJ and no dancing, and the business return before the Commission in two months for a review hearing. Commissioner Monroy noted that in this case, unlike the prior hearing, the residents were all familiar with the owner and manager and had been able to work with them to try to resolve issues. She feels that without the DJ, staying open until 1 a.m. is not a significant risk. Mr. Callejas said that many of their customers work in the hospitality and restaurant industry and come late at night for their last meal of the day. Nicole Toto returned to express her support for the motion.

Commissioner Occena abstained from voting on the motion. Upon a motion duly made by Chairman Selevitch, and seconded by Commissioner Monroy, it was VOTED to roll back the closing hour to 1 a.m., to cease the DJ and dancing, and to appear before the Commission for a review hearing at the September meeting.

Capri, LLC
d/b/a **Capri**
1559 North Shore Road
Claudia Gallego, Manager

Hearing: Hearing into violation of on-premise liquor license law in serving alcohol after 2 a.m., and violation of entertainment license conditions.

Claudia Gallego appeared for the application, accompanied by her son, Andres Gomez, who aided in translation. Mr. Gomez reported that the restaurant stayed open until 2 a.m. in spite of the 1 a.m. closing hour on their license. Music was still playing, but Mr. Gomez stated that the music was played at the normal volume, which is rarely heard from outside. He denied that alcohol was served at 2 a.m., insisting that liquor was last served just before 1 a.m. Commissioner Occena asked if Mr. Gomez was at the restaurant at that time; he wasn't, but Ms. Gallego was. Commissioner Occena reminded her that there is a police report indicating more than 10 glasses in front of customers when the officer walked in at 2:30 a.m. and that the bartender was mixing a drink when he got there. Mr. Gomez said that the bartender was shaking the cocktail shakers as a "more efficient" method of cleaning them. Chairman Selevitch reminded them that closing hour for a 1 a.m. license is 12:30 a.m., which was briefly acknowledged by Mr. Gomez, who also said that the people inside were friends. Commissioner Monroy asked if there was some sort of event or incident that caused them to make this mistake. Mr. Gomez had no explanation for the lapse, although he was certain that it was the only time they've made such an error.

Councillor Ira Novoselsky spoke on behalf of the business, recommending leniency, because they are good people. Lt. Sean Randall said that he finds the fact that the license holder was serving alcohol two hours later than they should be, and a half hour later than is allowed by state law, to be profoundly disturbing, particularly considering that the officer found them serving alcohol and operating as if it were 10 p.m., with patrons dancing on the floor and drinks being served. The officer counted 19 drinks on the bar after patrons left. He found it unlikely that this was a first-time event. Commissioner Occena informed the license holder that they should consider this a warning that future such events must not occur. He proposed that the matter be placed on file with a warning. Chairman Selevitch also suggested that they make it clear to staff that they are to cooperate with police in future, noting that the bartender, at least, seemed to be entirely disrespectful and dismissive. Mr. Gomez complained that the problem, in his eyes, is that the officer brought a lack of respect to the establishment, and so the real problem is lack of respect shown to the restaurant's staff and management. He found that significantly more disturbing than his business's violation of state law. Commissioner Monroy agreed that, as a first offense, a warning would be sufficient, and she seconded the proposal. Chairman Selevitch stated the decision of the Commission, which was to place the matter on file, with the understanding that it would be taken into consideration in the event of any future violations. He reiterated closing procedures for their license, and required them to comply with all procedures and laws.

The matter was placed on file.

COMMUNICATIONS:

1. No communications.

It was unanimously VOTED to schedule the next regular meeting on August 21, 2024 at 3:00 p.m. in the Council Chamber.

Following the foregoing, there being no further business to come before the Board upon Motion duly made and seconded, it was VOTED to adjourn the meeting at 5:25 p.m.

Robert Selevitch, Chairman

Maggie Haney, Recording Secretary

Minutes of the meeting of July 17, 2024